

Application Serial No.: 09/809,074  
Reply to Office Action dated February 24, 2004

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5-9, 12, 14-19, and 21-23 are presently active in this case, Claims 1, 3, 6-8, and 12 having been amended by way of the present Amendment. Claims 2, 4, 10, 11, 13, 20, 24, and 25 have been canceled without prejudice or disclaimer.

Claims 6, 9, 14-19, and 21-23 were indicated as being allowed.

In the outstanding Official Action, Claims 3, 4, and 6-8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 has been amended to clarify the relationship between the phrase “at least one laser diode module” and the phrase “a plurality of laser diode modules.” Amended Claim 3 clearly recites a plurality of laser diode modules including a metal substrate mounting a laser diode chip and an optical component. Accordingly, the Applicants submit that Claims 3, 4, and 6-8 are definite under 35 U.S.C. 112, second paragraph, and therefore the Applicants respectfully request the withdrawal of the indefiniteness rejection.

Claims 1 and 12 were rejected under 35 U.S.C. 102(b) as being anticipated by Miyake (U.S. Patent No. 4,791,634). Claims 3 and 7 were rejected under 35 U.S.C. 102(b) as being anticipated by Omori et al. (JP 04-179180). For the reasons discussed below, the Applicants request the withdrawal of the anticipatory rejections.

Application Serial No.: 09/809,074  
Reply to Office Action dated February 24, 2004

Claims 4, 6, and 8 were not rejected based upon any art. Thus, the Applicants submit that the subject matter of these claims is allowable. The subject matter of Claim 4 has been incorporated into Claim 3. Accordingly, Claim 3 and dependent Claims 6 and 7 are believed to be in condition for allowance. Furthermore, Claim 8 has been rewritten in independent form, and therefore is believed to be in condition for allowance.

Claims 1 and 12 have been amended to recite, among other features a plurality of densely placed laser diode modules, where each of the plurality of densely placed laser diode modules is mounted on a peltier device that is mounted on a mounting portion, and a plurality of heat pipes thermally connected to the mounting portion. The Applicants submit that the Miyake reference does not disclose such a configuration.

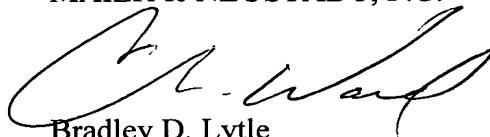
The Miyake reference describes a diode pumped slab laser that is cooled by a capillary heat pipe cooling apparatus. The laser includes a diode array that is cooled by one or more capillary evaporators that are adjacent to the diode array of the laser or contained within a thermally conductive substrate surrounding the diode array of the laser. The Miyake reference does not disclose or even suggest the mounting of the laser diodes therein on a peltier device, which is mounted on a mounting portion having a plurality of heat pipes thermally connected thereto, as recited in Claims 1 and 12 of the present application. The Miyake reference does not even discuss peltier devices. Accordingly, the Applicants respectfully submit that the Miyake reference does not anticipate Claims 1 and 12.

Application Serial No.: 09/809,074  
Reply to Office Action dated February 24, 2004

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Registration No. 40,073  
Attorney of Record

Christopher D. Ward  
Registration No. 41,367

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/01)

BDL:CDW:brf  
I:\atty\cdw\204842US\am4.doc